

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF DELAWARE

Monty Pepper,
Plaintiff,

Civil Action No. 05-084-JJF

Warden Thomas Carroll v. Bambi Thomas
Co James Gardels Co Thomas Sacerd
Defendant.

CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
FILED
2006 FEB -6 PM 3:44

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PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO FILE ANSWERING BRIEF TO
DEFENDANT'S MOTION AND
OPENING BRIEF

Plaintiff, pro se, Monty Pepper, hereby moves this Honorable Court pursuant to Fed. R. Civ. P. 6 (b), for an Enlargement of Time to March 26 2006, to prepare, type, and file his answering brief to Defendant's opening brief in support of their Motion to Dismiss which was otherwise due to be filed on February [redacted] 26, 2006. Plaintiff, is an incarcerated Inmate at a State Institution and has very limited access to the Law Library for the purpose of research, due to scheduling difficulties.

DATED: Feb 2 2006.

Respectfully Submitted,



Plaintiff incarcerated in Delaware Correctional Center as put fourth in the original complaint still suffers from a degree of impediment to Law research . As a result Plaintiff is restricted to 4 hours on tuesday and thursday a total of 8 hours a week

Plaintiff has requested additional time to research and file motion and assures . Even after noting a deadline to L Johnson the the paralegal incharge Plaintiff was REFUSED extra time

AS a result iI have sent a letter to administrator Mink Little and awate reply and remedy

Plaintiff also asserts due to DEFENDANTS requesting a disimissal under Rule 12 (B) (6) which conciders this a motion of summery judgement under Rule 56 (c) and further attaches Extraneous Material the Plaintiff must gather the meteral fact to rebut the conflicting statements and other arguments defendants putforth in a attempt a ~~dis~~missal

Defendant has sent many arguements to rebut
Also copys of Legal call request witch my mother is in possesision of and copys of other material is being gathered and cooyed and sent in to DCC which requires a additional time Unlike Defendant contends the Plaintiff can produce all documentatin needed to prove his case

Plaintiff is not experanced at law and must research every rule and law as well as Constitutional rights this takes more than 8 hours a week Plaintiff is also a slow reader which adds to disability

need more time to perfect his claims.

WHEREFORE, based on the above reasons, plaintiff respectfully prays this Honorable Court to grant his motion and extend the time for filing his response to the Order to Dismiss
Feb 2, 2006.

Monty Pepper

DATED: _____

Pro-se Litigant
Delaware Correctional Center
Smyrna, DE 19977

The appellant's response is due _____, _____.
_____.
_____.
_____.

SO ORDERED this _____ day of _____, _____.
_____.
_____.
_____.

JUSTICE

Certificate of Mailing and/or Delivery

I hereby certify That on February 2,
2006 I mailed by United States mail a
copy of The inclosed "Motion For Extension
of Time" To file answering brief To The
Defendants motion and opening brief
(CA# 05084-WF)

This copy(s) was sent To The following
address and party attorney for Defendants

To Lisa Barchi
Deputy Attorney General
820 N French Street 6th Floor
Wilmington Del 19801

302- 577- 8400

Feb, 2, 2006

sent by Monty Pepper
SBI 00156420
Delaware Correctional Center
1181 Paddock Road
Smyrna De
19922



IM 17 P2
SB# 156920 UNIT D 2512
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

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United States District Court
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Wilmington Del
19801-3520